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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,263	01/18/2002	Keith E. Moore	10003897	7654

7590 12/01/2004
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER
CHILCOT, RICHARD E

ART UNIT	PAPER NUMBER
3627	

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/051,263

Applicant(s)

MOORE, KEITH E.

Examiner

Richard E. Chilcot, Jr.

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 1-3 and 7-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson.

Robertson discloses a system for electronic commerce comprising a server (60) having a processor (62) and storage for a custom catalog (64). The server is connected to the internet (40). The custom catalog lists products using product identification having recipient information encoded therein (see Fig. 2, and col. 9, line 55 through col. 10, line 35). database structures (see Fig. 11) and instructions for allowing a plurality of participants controlled access to the database and to each other through a participant computer (50). Robertson further discloses a registry comprising see Abstract and col. 14, lines 40-65). Robertson also teaches that customer may suggest new products to add to the custom catalog (see col. 10, lines 42-44). Roberts also discloses a chat room for a recipient and giver (see col. 20, line 65 through col. 21 , line 15). Robertson et al also teach the step of tagging products with a unique identifier (see col. 13, lines 49-67).

Furthermore, it is inherent that each product has an item number. The item number in

combination with the unique identifier tag serves as a unique product identification for each product.

Robertson does not teach the use of a single code sequence. However, single code sequences are common in the art, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a single code sequence for efficiency.

Robertson does not teach the use of a difference catalog. However, it is common in the art to display new listings only. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a difference catalog with the invention of Robertson, so that users will only see items of interest. Robertson does not teach means for printing the custom catalog. However, printing means are common in the art, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ printing means with the invention of Robertson to allow a user to have a hard copy of the catalog to view away from a computer.

Robertson does not teach the step of tracking gift credits. However, gift credits are common in the art, and it is common to track them. It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the step of tracking gift credits with the invention of Robertson to allow users to redeem gift credits.

Robertson does not teach the step of reallocating price credits for exchanging products. However, it is common in the art to reallocate price credits for exchanging products. It would have been obvious to one of ordinary skill in the art at the time the

invention was made to employ the step of reallocating price credits for exchanging products to provide good customer service.

Robertson does not teach the acceptance of a partial purchase of an item. However, it is common in the art to partially purchase an item from a registry. It would have been obvious to one of ordinary skill in the art at the time the invention was made to accept partial purchase of an item to meet customer needs.

Robertson does not teach that non-recipients select a portion of the products.

However, it is common in the art to use an agent or an intermediary to select products to purchase. It therefore would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a non-recipient to select a portion of the products to aid a recipient who desires the help of a designer or the equivalent in selecting items that complement each other, or to aid a recipient who desires the help of a technologically knowledgeable intermediary in the case of a recipient who isn't Internet savvy.

Robertson does not teach the step of reallocating purchase price credits prior to delivery. However, it is common in the art to charge a user prior to delivery, and it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the step of reallocating purchase price credits prior to delivery to ensure the credits aren't used for another item.

The Examiner takes Official Notice, that individual products having unique product identification is notoriously well known; for example, the VIN of a vehicle or the serial number of a product. Accordingly, to use unique PIDs in the system of Roberson

would have been obvious for one having ordinary skill in the art at the time of the invention. The motivation for such a change would have been to provide a system which tracks individual products better for the purpose of warranty or return service.

Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson as applied to claim 1 above, and further in view of Underwood et al.

Robertson discloses all of the limitations detailed in the preceding paragraphs. Robertson does not disclose a web page catalog template. On the other hand, Underwood et al. disclose an array of web page templates that a user may choose from (see Fig. 48., and col. 30 line 53 through col. 31, line 15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Underwood et al. with the invention of Robertson to allow a user to select a template to design the web page catalog to make the process faster.

Robertson does not teach the step of merging personal content into the catalog. Underwood et al. teach a method of merging personal content with a web page template (see col. 36, lines 49-54: the user may specify any image file, which would include personal photos). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Underwood with the invention of Robertson to allow users to personalize their catalogues for esthetic purposes.

Neither Robertson nor Underwood et al. teach regular pricing and special pricing. However, regular and special pricing are common in the art, and it would have been

obvious to one of ordinary skill in the art at the time the invention was made to employ both regular and special pricing on items to provide incentives to customers.

Response to Arguments

Applicant's arguments with respect to claims 1-24; specifically, the argument with respect to the items having a PID, have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard E. Chilcot, Jr. whose telephone number is 703-305-4716. The examiner can normally be reached on 5/4/9 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Richard E. Chilcot, Jr.

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Primary Examiner
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